

DECISIONS PER CURIAM, FROM MARCH 3, 1919,
TO MAY 19, 1919, NOT INCLUDING ACTION ON
PETITIONS FOR WRITS OF CERTIORARI.

No. —, Original. *Ex parte*: IN THE MATTER OF ALBERT HERSCHEL DE PROPPER. Suggestion of committee submitted January 27, 1919. Decided March 3, 1919. Order of admission vacated, the name of the respondent to be removed from the rolls, and the certificate evidencing his enrollment canceled. The court expresses its grateful acknowledgment to the committee of the bar for the alacrity with which they responded to the request to take charge of the subject-matter of the rule which has been disposed of by the order just stated, and for the promptness, intelligence, and efficiency with which they discharged their duty. *Mr. Albert Herschel de Propper pro se. Mr. Charles W. Needham, Mr. Fred-eric D. McKenney and Mr. Melville Church, committee of the bar appointed by the court.*

No. 206. L. C. WATSON, TRUSTEE IN BANKRUPTCY OF DUNCAN & COMPANY, F. P. DUNCAN and F. A. DUNCAN, BANKRUPTS, *v.* GEORGE D. MOTLEY. Error to the Supreme Court of the State of Alabama. Submitted January 30, 1919. Decided March 3, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. Rutherford Lapsley* for plaintiff in error. *Mr. George D. Motley* for defendant in error.

No. 223. ALFRED W. CHURCH *v.* HORACE M. SWETLAND ET AL. Appeal from the Circuit Court of Appeals

for the Second Circuit. Motion to dismiss submitted January 27, 1919. Decided March 3, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) § 128 of the Judicial Code; *Stevenson v. Fain*, 195 U. S. 165, 166; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444. (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218. *Mr. Hector M. Hitchings* for appellant. *Mr. Daniel P. Hays* and *Mr. John S. Parker* for appellees.

NO. 356. UNITED STATES EX REL. GEORGE W. BILLERMAN *v.* MATTHEW J. LONG, CRIMINAL SHERIFF OF THE PARISH OF ORLEANS, STATE OF LOUISIANA. Appeal from the District Court of the United States for the Eastern District of Louisiana. Motion to dismiss submitted January 20, 1919. Decided March 3, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218. *Mr. Wm. Winans Wall* and *Mr. Robert H. Marr* for appellant. *Mr. Thomas Lee Woolwine* for appellee.

NO. 161. SOUTHERN PACIFIC COMPANY *v.* JOHN NEWMAN. Error to the Superior Court of Los Angeles County, State of California. Submitted March 5, 1919. Decided March 10, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial

249 U. S.

Decisions Per Curiam, Etc.

Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. Henry T. Gage, Mr. William I. Gilbert, Mr. Wm. F. Herrin, Mr. Henley C. Booth and Mr. C. F. R. Ogilby* for plaintiff in error. *Mr. Frank A. Jeffers* for defendant in error.

NO. 208. STATE OF CALIFORNIA *v.* MONO COUNTY IRRIGATION COMPANY. Error to the District Court of Appeal, Third Appellate District, State of California. Submitted March 5, 1919. Decided March 10, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. U. S. Webb and Mr. John T. Nourse* for plaintiff in error. No appearance for defendant in error.

NO. 209. STATE OF CALIFORNIA *v.* PACIFIC POWER COMPANY. Error to the District Court of Appeal, Third Appellate District, State of California. Submitted March 5, 1919. Decided March 10, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. U. S. Webb and Mr. John T. Nourse* for plaintiff in error. No appearance for defendant in error.

NO. 606. H. A. JASTRO ET AL. *v.* ELIAS FRANCIS ET AL. Error to the Supreme Court of the State of New Mexico. Motion to dismiss or affirm or place on summary docket submitted March 3, 1919. Decided March 10, 1919. *Per Curiam*. Dismissed for want of jurisdiction

upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S., 216, 218. Mr. Alonzo B. McMullen, Mr. Alexander Britton, Mr. Evans Browne and Mr. F. W. Clements for plaintiffs in error. Mr. Bernard S. Rodey for defendants in error.

No. 682. BESSIE TYRRELL, ETC., v. CHARLES B. SHAFER ET AL. Certiorari to the Supreme Court of the State of Oklahoma. Submitted March 6, 1919. Decided March 10, 1919. *Per Curiam*. Affirmed with costs upon the authority of *Gilcrease v. McCullough*, ante, 178. Mr. Henry B. Martin and Mr. Richard Clyde Allen for petitioners. Mr. Malcolm E. Rosser for respondents.

No. —, Original. *Ex parte*: IN THE MATTER OF JOHN F. DEITZ, PETITIONER. Submitted March 3, 1919. Decided March 10, 1919. Motion for leave to file petition for a writ of *habeas corpus* herein denied. Mr. Frederick S. Tyler for petitioner.

No. 418. CITY OF CHICAGO ET AL. v. THOMAS E. DEMPCY, AS CHAIRMAN, ETC., ET AL. Error to the Supreme Court of the State of Illinois. Motion to dismiss as to certain plaintiffs in error submitted March 10, 1919. Decided March 17, 1919. *Per Curiam*. The motion of the Chicago City Railway Company, Chicago Railways Company, Calumet & South Chicago Railway Company, and the Southern Street Railway Company, for leave "to withdraw as plaintiffs in error in said

249 U. S.

Decisions Per Curiam, Etc.

case and to discontinue the writ of error as to them" is granted upon the condition that the exercise of the permission to withdraw shall be a consent to a severance and without prejudice to the right of the City of Chicago to prosecute its writ of error to a final conclusion. *Mr. W. W. Gurley, Mr. Harry P. Weber and Mr. George W. Miller for the Railway Companies. Mr. Samuel A. Ettelson and Mr. Chester E. Cleveland for City of Chicago.*

No. 373. SUPREME CONCLAVE, IMPROVED ORDER OF HEPTASOPHS, *v. WILLIAM MARSHALL WILSON*. Error to and on petition for writ of certiorari to the Supreme Court of the State of North Carolina. Argued March 3, 1919. Decided March 17, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. Petition for writ of certiorari denied. *Mr. George R. Allen, with whom Mr. H. La Rue Brown and Mr. W. J. Hughes were on the brief, for plaintiff in error. Mr. Thaddeus A. Adams for defendant in error.*

No. 226. ANN ARBOR RAILROAD COMPANY *v. STEPHEN MANOLOFF*. Error to the Court of Appeals, Sixth Appellate District, of the State of Ohio. Argued March 13, 1919. Decided March 17, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. Alexander L. Smith, for plaintiff in error, submitted. Mr. Albert H. Miller, with whom Mr. A. J. Miller was on the brief, for defendant in error.*

No. 239. DENVER & RIO GRANDE RAILROAD COMPANY *v.* ORESTA DA VELLA, ROYAL ITALIAN CONSUL, AS ADMINISTRATOR, ETC. Error to the Supreme Court of the State of Colorado. Submitted March 14, 1919. Decided March 17, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. Elroy N. Clark* and *Mr. Wm. C. Prentiss* for plaintiff in error. *Mr. W. F. Sanborn* for defendant in error.

No. 225. MRS. M. E. SIMS ET AL. *v.* W. H. STARK ET AL. Error to the District Court of the United States for the Eastern District of Texas. Argued March 13, 1919. Decided March 17, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Aspen Mining & Smelting Co. v. Billings*, 150 U. S. 31, 37; *Brown v. Alton Water Co.*, 222 U. S. 325, 332-334. See *Red Jacket, Jr., Coal Co. v. United Thacker Coal Co.*, Point 3, 248 U. S. 531; *Omaha Baum Iron Store Co. v. Moline Plow Co.*, 244 U. S. 650. *Mr. George P. Dougherty*, with whom *Mr. E. E. Townes* and *Mr. Frederick S. Tyler* were on the brief, for plaintiffs in error. No appearance for defendants in error.

No. —, Original. *Ex parte*: IN THE MATTER OF WILFRED TOMPKINS, PETITIONER. Submitted March 10, 1919. Decided March 17, 1919. Motion for leave to file petition for a writ of *habeas corpus* herein denied. *Mr. Frans E. Lindquist* for petitioner.

No. 265. CRESCENT MILLING COMPANY *v.* H. N. STRAIT MANUFACTURING COMPANY ET AL. Appeal from

249 U. S.

Decisions Per Curiam, Etc.

the District Court of the United States for the District of Minnesota. Argued for appellant March 21, 1919. Decided March 24, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 6 of the Act of September 6, 1916, c. 448, 39 Stat. 726, 727. *Mr. Harris Richardson* for appellant. *Mr. John I. Dille* and *Mr. John O. P. Wheelwright* for appellees.

No. 272. NEELY POWERS, TRUSTEE, ETC., *v.* SCOTT COUNTY MILLING COMPANY. Error to the Supreme Court of the State of Mississippi. Submitted March 21, 1919. Decided March 24, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. James N. Flowers* and *Mr. William H. Watkins* for plaintiff in error. *Mr. Robert H. Thompson* and *Mr. George Butler* for defendant in error.

No. 261. CHESAPEAKE & OHIO COAL & COKE COMPANY *v.* TOLEDO & OHIO CENTRAL RAILWAY COMPANY. Error to the Circuit Court of Appeals for the Fourth Circuit. Argued for plaintiff in error March 20, 1919. Decided March 24, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 128 of the Judicial Code; *Stevenson v. Fain*, 195 U. S. 165, 166; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444. *Mr. Buckner Clay*, with whom *Mr. George E. Price* was on the brief, for plaintiff in error. *Mr. E. W. Knight* for defendant in error.

Nos. 266 and 267. CRESCENT MILLING COMPANY *v.* H. N. STRAIT MANUFACTURING COMPANY. Error to the District Court of the United States for the District of Minnesota. Argued for plaintiff in error March 21, 1919. Decided March 24, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 6 of the Act of September 6, 1916, c. 448, 39 Stat. 726, 727. *Mr. Harris Richardson* for plaintiff in error. *Mr. John I. Dille* and *Mr. John O. P. Wheelwright* for defendant in error.

Nos. 268 and 269. CRESCENT MILLING COMPANY *v.* H. N. STRAIT MANUFACTURING COMPANY. Error to the Circuit Court of Appeals for the Eighth Circuit. Argued for plaintiff in error March 21, 1919. Decided March 24, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 128 of the Judicial Code; *Stevenson v. Fain*, 195 U. S. 165, 166; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444. *Mr. Harris Richardson* for plaintiff in error. *Mr. John I. Dille* and *Mr. John O. P. Wheelwright* for defendant in error.

No. 270. CRESCENT MILLING COMPANY *v.* H. N. STRAIT MANUFACTURING COMPANY. Appeal from the Circuit Court of Appeals for the Eighth Circuit. Argued for appellant March 21, 1919. Decided March 24, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 128 of the Judicial Code; *Stevenson v. Fain*, 195 U. S. 165, 166; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577; *Delaware, Lackawanna &*

249 U. S.

Decisions Per Curiam, Etc.

Western R. R. Co. v. Yurkonis, 238 U. S. 439, 444. *Mr. Harris Richardson* for appellant. *Mr. John I. Dille* and *Mr. John O. P. Wheelwright* for appellee.

No. —, Original. *Ex parte*: IN THE MATTER OF CHRISTOFFER HANNEVIG ET AL., PETITIONERS. Submitted March 17, 1919. Decided March 31, 1919. Motion for leave to file petition for writs of prohibition, mandamus, and certiorari denied. *Mr. Frederic R. Coudert* and *Mr. Howard Thayer Kingsbury* for petitioners.

No. 704. *R. E. ODEN, SHERIFF OF ALLEN PARISH, LOUISIANA, v. A. V. COCO, ATTORNEY GENERAL OF LOUISIANA*. Error to the Supreme Court of the State of Louisiana. Motion to dismiss or affirm submitted March 31, 1919. Decided April 14, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218. (2) *Consolidated Turnpike Co. v. Norfolk, &c., Ry. Co.*, 228 U. S. 596, 599; *Municipal Securities Corporation v. Kansas City*, 246 U. S. 63, 69; *Bilby v. Stewart*, 246 U. S. 255, 257. *Mr. Chas. Arthur McCoy* for plaintiff in error. *Mr. Harry P. Sneed* for defendant in error.

No. 175. *DENVER & RIO GRANDE RAILROAD COMPANY v. JAMES R. BAIRD*. Error to the Supreme Court of the State of Utah. Submitted January 22, 1919.

Decided April 14, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. Waldemar Van Cott, Mr. Edward M. Allison, Jr., and Mr. Wm. D. Riter* for plaintiff in error. *Mr. Wm. H. King* for defendant in error.

No. —, Original. *Ex parte*: IN THE MATTER OF J. A. TRACY, PETITIONER. Submitted March 31, 1919. Decided April 14, 1919. Motion for leave to file petition for a writ of *habeas corpus* denied. *Mr. C. M. Oneill* for petitioner. See *ante*, 551.

No. 22, Original. STATE OF TENNESSEE *v.* STATE OF ARKANSAS ET AL. Argued on motion to dismiss April 14, 1919. Decided April 21, 1919. *Per Curiam*. Bill dismissed with costs for want of equity, on the authority of *Jackson v. United States*, 230 U. S. 1; *Hughes v. United States*, 230 U. S. 24, and *Cubbins v. Mississippi River Commission*, 241 U. S. 351. *Mr. Barnette E. Moses and Mr. Frank M. Thompson* for plaintiff. *Mr. W. J. Lamb and Mr. Skipwith Adams* for defendants.

No. 26, Original. *Ex parte*: IN THE MATTER OF ROBERT H. THORBURN, PETITIONER. Submitted April 14, 1919. Decided April 21, 1919. Petition for mandamus. Rule to show cause discharged and petition dismissed. Leave to file supplementary petition denied. *Mr. Robert H. Thorburn, pro se. Mr. Augustine L. Humes and Mr. William R. Begg* for respondent.

No. 80. JOHN H. COCHNOWER *v.* UNITED STATES. Appeal from the Court of Claims. Motion to amend judg-

249 U. S.

Decisions Per Curiam, Etc.

ment submitted March 10, 1919. Decided April 21, 1919. It is hereby ordered that the judgment in this case entered on January 13, 1919, be, and the same is hereby, restated so as to cause the following to be substituted therefor: This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a judgment for the claimant for compensation for his services at the rate of one dollar per day from the first of July, 1910, to the thirtieth of June, 1913, inclusive; that is, so as to make up the difference between the four dollars per day actually received during the period stated and the five dollars per day which it is adjudged he was entitled to receive during the said period. *Mr. L. T. Michener* and *Mr. William E. Russell* for appellant. *Mr. Assistant Attorney General Thompson* and *Mr. Harvey D. Jacob* for the United States. See 248 U. S. 405.

No. 202. SOUTHERN OREGON COMPANY *v.* UNITED STATES. Appeal from the Circuit Court of Appeals for the Ninth Circuit. Joint motion to remand submitted March 24, 1919. Decided April 21, 1919. Considering the suggestion made to the court by the parties to the above-entitled cause, that all matters of difference between them arising out of the subject-matter of this litigation have been satisfactorily adjusted and settled pursuant to the provisions of the Act of Congress approved February 26, 1919, entitled "An Act To accept from the Southern Oregon Company, a corporation organized under the laws of the State of Oregon, a reconveyance of the

lands granted to the State of Oregon by the Act approved March third, eighteen hundred and sixty-nine, entitled 'An Act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State,' commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes," and, further, considering the joint motion by the said parties to remand the cause, It is hereby ordered that this cause be, and the same is hereby, remanded to the District Court, with authority in that court to modify the final decree in the cause so as to carry into effect the said Act of Congress of February 26, 1919. *Mr. John M. Gearin* for appellant. *The Solicitor General* for the United States.

No. 163. CENTRAL OF GEORGIA RAILWAY COMPANY *v.* WILLIAM A. WRIGHT, COMPTROLLER GENERAL OF THE STATE OF GEORGIA. Restored to the docket for partial rehearing April 21, 1919. The application to file petition for rehearing is allowed and the rehearing is granted in so far as the validity of the tax in question is involved in or depends upon the charters of the Southwestern and the Muskogee Railroad and the subsequent relevant legislation. As to all other questions in the case, therefore, the request for leave to file the application for rehearing is denied and the case for rehearing, limited as above stated, is ordered restored to the docket for reargument. *Mr. A. R. Lawton* and *Mr. T. M. Cunningham, Jr.*, for plaintiff in error. *Mr. John C. Hart* and *Mr. Samuel H. Sibley* for defendant in error. See 248 U. S. 525.

No. 277. PUBLIC UTILITIES COMMISSION FOR THE STATE OF KANSAS ET AL. *v.* JOHN M. LANDON, RECEIVER OF THE KANSAS NATURAL GAS COMPANY, ET AL.;

249 U. S.

Decisions Per Curiam, Etc.

NO. 329. KANSAS CITY, MISSOURI, ET AL. *v.* JOHN M. LANDON, RECEIVER OF THE KANSAS NATURAL GAS COMPANY, ET AL.;

NO. 330. KANSAS CITY GAS COMPANY ET AL. *v.* KANSAS NATURAL GAS COMPANY ET AL.; and

NO. 353. PUBLIC UTILITIES COMMISSION FOR THE STATE OF KANSAS ET AL. *v.* JOHN M. LANDON, RECEIVER OF THE KANSAS NATURAL GAS COMPANY, ET AL. Appeals from the District Court of the United States for the District of Kansas. Decree of March 17, 1919, vacated April 28, 1919. In these cases it is ordered that the decree entered March 17, 1919, be vacated and decree now entered as follows: The decrees below are reversed and the cause is remanded to the trial court with directions to hear it anew and determine all the issues involved, including those arising on the several bills, cross bills, and answers in the nature of cross bills, in conformity with the views expressed in the opinion of this court; and to take such further proceedings as may appropriate and consistent with such opinion. All temporary injunctions in force at the time of the entry of the decrees from which appeals were taken here shall be continued in force until otherwise ordered. The costs in this court will be paid one-half by John M. Landon, receiver of the Kansas Natural Gas Company, and the remainder shall be paid, one-third by each of the three groups of appellants.

[For the opinion of the court and names of counsel, see *ante*, 236.]

NO. 388. WEBB C. HAYES *v.* HOCKING VALLEY RAILWAY COMPANY. Error to the Supreme Court of the State of Ohio. Motion to dismiss submitted April 21, 1919. Decided April 28, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining*

Co. v. Hanley, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218. Mr. Charles A. Seiders for plaintiff in error. Mr. Clarence Brown, Mr. John F. Wilson and Mr. Lloyd T. Williams for defendant in error.

No. 644. B. F. MEHARG *v.* ALABAMA POWER COMPANY. Error to the Supreme Court of the State of Alabama. Motion to dismiss submitted April 21, 1919. Decided April 28, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. Mr. Oscar W. Underwood and Mr. D. H. Riddle for plaintiff in error. Mr. Thomas W. Martin and Mr. O. R. Hood for defendant in error.

No. 504. FENTRESS COAL & COKE COMPANY *v.* BEECHER ELMORE. Error to the District Court of the United States for the Middle District of Tennessee. Motion to dismiss or affirm submitted April 21, 1919. Decided April 28, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Aspen Mining & Smelting Co. v. Billings*, 150 U. S. 31, 37; *Brown v. Alton Water Co.*, 222 U. S. 325; *Metropolitan Water Co. v. Kaw Valley District*, 223 U. S. 519; *Union Trust Co. v. Westhus*, 228 U. S. 519; *Shapiro v. United States*, 235 U. S. 412. See *Omaha Baum Iron Store Co. v. Moline Plow Co.*, 244 U. S. 650. Mr. W. B. Miller for plaintiff in error. Mr. John F. McNutt for defendant in error.

No. 382. SOUTHERN PACIFIC COMPANY *v.* J. V. TERRY. Error to the Supreme Court of the State of California; and

249 U. S.

Decisions Per Curiam, Etc.

NO. 383. SOUTHERN PACIFIC COMPANY *v.* J. V. TERRY. Error to the District Court of Appeal, Second Appellate District, State of California. Argued May 1, 1919. Decided May 5, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. *Mr. C. F. R. Ogilby*, with whom *Mr. Henry T. Gage*, *Mr. William I. Gilbert* and *Mr. William F. Herrin* were on the brief, for plaintiff in error. *Mr. Frederick S. Tyler*, for defendant in error, submitted.

NO. 359. LOUISIANA WESTERN RAILROAD COMPANY *v.* CITY OF CROWLEY. Error to the Supreme Court of the State of Louisiana. Submitted April 29, 1919. Decided May 5, 1919. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) *Consolidated Turnpike Co. v. Norfolk &c. Ry. Co.* 228 U. S. 596, 599; *Municipal Securities Corporation v. Kansas City*, 246 U. S. 63, 69; *Bilby v. Stewart*, 246 U. S. 255, 257. (2) *Stearns v. Minnesota*, 179 U. S. 223; *Board of Liquidation v. Louisiana*, 179 U. S. 622. *Mr. George Denegre*, *Mr. Victor Leovy*, *Mr. Philip S. Pugh* and *Mr. Henry H. Chaffe* for plaintiff in error. *Mr. P. J. Chappuis* and *Mr. A. P. Holt* for defendant in error.

NO. 335. DAN B. ZIMMERMAN *v.* CORSON COUNTY, SOUTH DAKOTA, ET AL. Error to the Supreme Court of the State of South Dakota. Submitted April 25, 1919. Decided May 5, 1919. *Per curiam*. Dismissed for want of jurisdiction upon the authority of: (1) § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, 39 Stat. 726. (2) *Consolidated Turnpike Co.*

Decisions on Petitions for Writs of Certiorari. 249 U. S.

v. Norfolk, &c. Ry. Co., 228 U. S. 326, 334; *St. Louis & San Francisco R. R. Co. v. Shepherd*, 240 U. S. 240, 241; *Bilby v. Stewart*, 246 U. S. 255, 257. *Mr. William G. Porter* for plaintiff in error. *Mr. Clarence C. Caldwell* for defendants in error.

No. —, Original. *Ex parte*: IN THE MATTER OF MEC-
CANO, LIMITED, PETITIONER. Submitted May 1, 1919.
Decided May 5, 1919. Motion for leave to file petition
for a writ of mandamus or a writ of prohibition denied.
Mr. Reeve Lewis for petitioner.

DECISIONS ON PETITIONS FOR WRITS OF CER-
TIORARI, FROM MARCH 3, 1919, TO MAY 19,
1919.

(A.) PETITIONS GRANTED.¹

No. 831. CANADIAN NORTHERN RAILWAY COMPANY *v.*
GUS EGGEN. March 10, 1919. Petition for a writ of cer-
tiorari to the Circuit Court of Appeals for the Eighth Cir-
cuit granted. *Mr. Wm. D. Mitchell* and *Mr. Pierce Butler*
for petitioner. *Mr. Tom Davis* and *Mr. Ernest A. Michel*
for respondent.

No. 842. GEORGE R. BROADWELL *v.* BOARD OF COUNTY
COMMISSIONERS OF CARTER COUNTY, OKLAHAMA. March
10, 1919. Petition for a writ of certiorari to the Supreme
Court of the State of Oklahoma granted. *Mr. Charles
L. Moore* and *Mr. George P. Glaze* for petitioner. No ap-
pearance for respondent.

¹ For petitions denied, see *post*, 598.